



IT IS ORDERED as set forth below:

Date: May 3, 2019

W.H. Drake

**W. Homer Drake
U.S. Bankruptcy Court Judge**

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
NEWNAN DIVISION

In Re:)	Chapter 7
)	Case No. 18-12387-WHD
William Charles Shaffer)	
Virginia Lynn Shaffer)	
Debtors)	

**ORDER GRANTING THE TRUSTEE'S APPLICATION FOR
AUTHORITY AND APPROVAL TO EMPLOY KRIS KOLARICH,
A MEMBER OF ATLANTA INTOWN REAL ESTATE SERVICES AND
APPROVAL OF LISTING AGREEMENT FOR SALE OF REAL PROPERTY**

Now the above-captioned matter comes on before this Court upon the Application of the Chapter 7 Trustee herein, THEO MANN and pursuant to 11 U.S.C. §327, requested authority to employ the professional services of Kris Kolarich, a member of Atlanta Intown Real Estate Services, in this matter for the listing and sale of real estate known as 565 EAGLES NEST CIR CARROLLTON, GA 30116, and to approve the Listing Agreement for this property. The Trustee filed the Application on May 1, 2019 (Dkt# 29). The Trustee served the Motion and the Notice on the Office of the United States Trustee, Debtors' counsel, and Debtors.

The Court, having jurisdiction herein, finds as follows:

1. The Applicant is the duly qualified and acting Chapter 7 Trustee of the bankruptcy estate of William Charles Shaffer & Virginia Lynn Shaffer.
2. Kris Kolarich, a member of Atlanta Intown Real Estate Services, has the expertise and knowledge to assist the Chapter 7 Trustee with the marketing and sale of real property located at 565 EAGLES NEST CIR CARROLLTON, GA 30116, and which is legally described as follows:

Parcel Number: 132- -0240

Tax ID: 38122

Zoning: COMMERCIAL

Census Tract: 130459107.013032

Carrier Route: R025

Abbreviated Description: LANDLOT:137 DIST:05 PHASE:002 HSE/LOT 61 EAGLES NEST PH 2

hereinafter referred to as the “Real Property”.

3. The Debtors have declared the Real Property as exempt to the extent of \$10,240.83.
4. The Chapter 7 Trustee desire to employ Kris Kolarich, a member of Atlanta Intown Real Estate Services (jointly referred to hereafter as “Local Listing Broker”), to provide professional services on behalf of this bankruptcy estate for the marketing and sale of the Real Property identified hereinabove, in which the above-named Debtor holds an interest. The Local Listing Broker is requesting a commission of two percent (2%) of the gross sale proceeds. All fees and expenses will be presented to the Court for approval prior to payment.
5. A duly executed and verified statement of disinterestedness was attached to the Application as Exhibit “A” setting out that the employees and members of Atlanta Intown Real Estate Services are disinterested persons, as the term is used in the Bankruptcy Code, do not hold an interest adverse to the bankruptcy estate, is not aware

of any connection with the Debtors, creditors, any other party in interest, their respective attorneys or accountants, the United States Trustee or any person employed in the Office of the United States Trustee and understand there is a continuing duty to disclose any such adverse interest.

6. Notice of the request and approval of the employment of this professional was provided and served upon all parties of interest in this matter.
7. Also attached to the Trustee's Application as Exhibit "B" was a copy of the Listing Agreement and the Chapter 7 Trustee requested that the Court approve this Agreement, which the Chapter 7 Trustee will execute on behalf of this bankruptcy estate.
8. BK Global Real Estate Services ("BK Global") has been retained by the Chapter 7 Trustee and BK Global has agreed to fully cooperate with Local Listing Broker.
9. Mr. Cooper claims a mortgage interest in the Real Property and has consented to the sale of the Real Property subject to their security interest.

The Court, having reviewed the file herein and being fully advised, finds that good cause exists to grant the Trustee's Application and for the entry of this Order.

IT IS, THEREFORE, BY THE COURT ORDERED that the Notice as to the Application to Employ Kris Kolarich, a member of Atlanta Intown Real Estate Services, as served by the trustee upon all parties of interest in this matter was due, proper and sufficient, and no further or additional notice is necessary or required.

IT IS BY THE COURT FURTHER ORDERED that the Chapter 7 Trustee's Application is hereby GRANTED and the Chapter 7 Trustee is hereby AUTHORIZED to employ the professional services of Kris Kolarich, a member of Atlanta Intown Real Estate Services, in this bankruptcy estate, for the listing and sale of the Real Property.

IT IS BY THE COURT FURTHER ORDERED that the Listing Agreement with Kris Kolarich, a member of Atlanta Intown Real Estate Services, for the sale of the subject Real Property is hereby APPROVED.

A copy of the Application and Order having been served upon the United States Trustee, this Order is entered subject to the objection of the United States Trustee.

IT IS SO ORDERED.

END OF ORDER

SUBMITTED BY:

MANN & WOOLDRIDGE, P.C.

By: /s/ Theo D. Mann
Theo D. Mann
Attorney for Trustee
State Bar No. 469150

P. O. Box 310
Newnan, GA 30264-0310
(770) 253-2222
tman@mwklaw.org

PARTIES TO BE SERVED

Theo D. Mann
Mann & Wooldridge, PC
P.O. Box 310
Newnan, GA 30264

William Charles Shaffer
Virginia Lynn Shaffer
565 Eagles Nest Circle
Carrollton, GA 30116

John T. Dufour
Van Pelt & Dufour
527 Newnan Street
Carrollton, GA 30117

Kris Kolarich
EXP Realty, LLC
1155 Mt. Vernon Hwy., Ste. 800
Atlanta, GA 30338

United States Trustee
362 Richard Russell Building
75 Ted Turner Dr., S.W.
Atlanta, GA 30303